



**City Council
Meeting Agenda
October 24, 2023
6:00 PM
Bentonville City Hall**

Note – The public, members of the City Council, and City staff, may have the option to attend this meeting by remote means. For public health reasons, those who attend in person should keep in mind hygiene, the use of facial coverings, and social distancing.

Public comments can be submitted by email submitted to cc.comments@bentonvillear.com by at least 4:00 p.m. on the day of the meeting. Those comments will be communicated to the members of the Council and the Mayor. Accommodation has also been made to allow Bentonville citizens to make “live” public comments orally in the event they cannot attend the meeting in person. To do so, please send an email indicating a desire to make public comments remotely to cc.comments@bentonvillear.com by at least 1:00 p.m. on the day of the meeting and a reply email will be sent with instructions about how your comments can be made. Making comments will require you to register with your name, address, phone number and email address. The pre-existing limitations (3 minutes) and procedures with respect to oral public comments will still apply.

*If you would like to attend virtually, please register at the following link by 4:00 p.m. on October 24, 2023:

https://us02web.zoom.us/webinar/register/WN_9NAc9fIIIRq-7hcvb6uvxYg

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Approval of Minutes: October 10, 2023

I. New Business

1. **Proclamation Recognizing October 2023 as National Community Planning Month** **Informational**
A proclamation designating October, 2023 as Community Planning Month in Bentonville, Arkansas.
2. **Proclamation Recognizing October 2023 as Code Compliance Month** **Informational**
A proclamation designating October, 2023 as Code Compliance Month in Bentonville, Arkansas.

3. **2024 Budget Update - Patrick Johndrow,
Finance Director** **Informational**
4. **Amend Fund Balance and Reserve
Policy** **Resolution**

Approve a Resolution to amend the City of Bentonville Fund Balance and Reserve Policy, as described in the proposed revisions (in red) in the attached copy. No Budget Adjustment is needed.
5. **Amend Exhibit "A" Purchasing Policy in
Resolution 6-22-2021T** **Resolution**

Approve a Resolution to amend the City of Bentonville Purchasing Policy, Exhibit "A", in Resolution 6-22-2021T, as described in the proposed revisions (in red) in the attached copy. No Budget Adjustment is needed.
6. **Ordinance to Adopt a 5% Local
Procurement Preference** **Ordinance***

Ordinance to adopt Section 5.1 Local Procurement Preference in the City of Bentonville Purchasing Policy (as revised in the October 24, 2023 Purchasing Policy revisions), setting a 5% Local Procurement Preference for Local Firm Residents in Bentonville, as defined in §14-58-105, with a \$1,000.00 maximum preference allowed. No Budget Adjustment is needed.
7. **TOP Engineers, Inc., Fiber Network
Implementation for Priority Two Amendment 1** **Resolution**

Resolution authorizing the Mayor and City Clerk to amend the Professional Services Agreement with TOP Engineers, Inc. for an additional amount of \$154,615.00 for a total contract price not to exceed \$657,615.00. No Budget Adjustment is needed.
8. **Airport Advisory Board Reappointment of
Mark Slaughter** **Board Appointment**

Reappointment of Mark Slaughter for a 2nd term to the Airport Advisory Board. His current term expires 10/23. Reappointment for a 3-year term that will expire 10/24/2026.
9. **Airport Advisory Board Appointment of Rachel
Hobert** **Board Appointment**

Council Appointment of Rachel Hobert to the Airport Advisory Board, replacing Mike Frost whose terms expired 10/5/2023. This is Ms. Hobert's first term that will expire 10/24/2026.
10. **Budget Adjustment for Gate Repair at
the Bentonville Municipal Airport** **Resolution**

Resolution approving a Budget Adjustment to move \$22,236.70 from General Fund reserves to 101650-44430 Building/Ground Maintenance for gate repair at the Municipal Airport. A Budget Adjustment is needed.
11. **Public Hearing and Ordinance Vacating
a Utility Easement (VAC23-0018)** **Ordinance***

Public Hearing and approval of an Ordinance vacating Utility Easement Vacation located at Lot 61 of The Farms Subdivision (VAC23-0018).

12. **Salt Storage Building Roof Repair** **Ordinance***
Ordinance approval to waive competitive bidding and enter into agreement with Trade Pro Construction to repair the roof of the Street Department's Salt Storage Building. A budget adjustment is needed for this with an emergency clause.
13. **Waiver of Bid to Process Payment for 2023 Street Pavement Markings** **Ordinance***
Ordinance waiving competitive bidding to process a payment not to exceed \$44,424.60 to Time Striping Inc., for 2023 Street Pavement Markings. An Emergency Clause is needed to process timely payment of the Invoice. No Budget Adjustment is needed.

II. Utility Board

1. **Budget Adjustment for Electric Department Top Out Checks** **Resolution**
Approve a Resolution for a Budget Adjustment allocating \$65,000.00 from Electric Department Account 41310 to Accounts 41510 (\$25,000.00) and 41810 (\$40,000.00) to cover top-out payments. A Budget Adjustment is needed to allocate funds. Approved by Utility Board 5-0.

III. Planning

1. **BVR Properties, LLC, (RZ23-0068)** **Resolution**
1304 Bella Vista Road
A Resolution amending the City of Bentonville Future Land Use Map for a specific area from Residential Estate to Medium Density Residential; and for other purposes. The Planning Commission voted 7-0 recommending approval.
2. **BVR Properties, LLC, (RZ23-0068)** **Ordinance***
1304 Bella Vista Road
An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to R-2, Medium Density Two Family and Townhome Residential; and for other purposes. The Planning Commission voted 7-0 recommending approval.
3. **Lovell Revocable Trust, (RZ23-0069)** **Ordinance***
1110 Southeast Walton Boulevard
An Ordinance changing real estate from its present zoning classification of A-1, Agricultural to C-2, General Commercial; and for other purposes. The Planning Commission voted 7-0 recommending approval.
4. **Freeman Living Trust, (RZ23-0070)** **Ordinance***
218 and 220 Southwest Glover Street
An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to DN-2, Downtown Medium Density Residential; and for other purposes. The Planning Commission voted 7-0 recommending approval.
5. **Pinnacle Villas, LLC, (RZ23-0071)** **Ordinance***
208 Northwest G Street
An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to

DN-1, Downtown Low Density Residential; and for other purposes.
The Planning Commission voted 7-0 recommending approval.

6. **Wood Family Trust, (RZ23-0072)** **Ordinance***

308 Southwest E Street

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low-Density Single-Family Residential to DN-1, Downtown Low Density Residential; and for other purposes.

The Planning Commission voted 7-0 recommending approval.

7. **Doaba Investment, LLC, (RZ23-0074)** **Ordinance***

Southwest Regional Airport Boulevard

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of PUD, Planned Unit Development to C-2, General Commercial; and for other purposes.

The Planning Commission voted 7-0 recommending approval.

Public Comments on Tonight's Agenda Items (Limited Public Forum)